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February 5, 2014

Hon. Naomi Reice Buchwald  
United States District Judge  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street, Courtroom 21A  
New York, New York 10007-1312

Re: US Bank, National Association v. Commonwealth Land Title Insurance Company  
Civ No. 13-civ-7626 (NRB)  
Our File No. 2575/06016

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Dear Judge Buchwald:

The undersigned firm represents defendant Commonwealth Land Title Insurance Company. We respond to the letter motion of Rob Shainess, Esq. dated February 3, 2014 for a protective order.

As we discussed with the Court at the January 14, 2014 conference, this case involves an admitted fraud perpetrated by an imposter claiming to be Ms. Laura Fields at the November 19, 2007 closing of the financing of the premises 1430 Pinson Street, Far Rockaway, New York. Ms. Fields passed away on October 17, 2007, one month prior to the closing. Plaintiff was the lender which funded the loan to the imposter.

There is no claim the imposter was a customer of the plaintiff bank. From my review of the file provided Commonwealth thus far, it appears the imposter signed the loan application on the date of the closing. Therefore Title V of the Gramm-Leach-Bliley Act does not apply.

We do not see the need to classify as confidential documents signed by an imposter to defraud the plaintiff lender. We have no objection to social security numbers and dates of birth being redacted.

The Court's stated impression at the conference was that no confidentiality was implicated. It is submitted the motion should be denied.

Respectfully submitted,

A handwritten signature in black ink, consisting of a stylized 'D' followed by a horizontal line and a small flourish.

David K. Fiveson

DKF/rqs

cc: Rob Shainess, Esq. (by ECF filing)  
Evan Michailidis, Esq. (by ECF filing)